

Attorney Docket No. 9233-74

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Ekwuribe et al.

Confirmation No.: 8724

Serial No.: 10/018,879

Group Art Unit: 1654

Filed: August 5, 2002

Examiner: J. Russel

For: *AMPHIPHILIC DRUG-OLIGOMER CONJUGATES WITH HYDROLYZABLE LIPOPHILE COMPONENTS AND METHODS FOR MAKING AND USING THE SAME*

Date: July 18, 2003

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(a)

Sir:

I, Mary L. Miller, am an attorney of record of the disclaimant, Nobex Corporation, and am authorized to execute this disclaimer on behalf of Nobex Corporation. The disclaimant, Nobex Corporation, having a principal place of business at 617 Davis Drive, Durham, NC 27709, is the owner of all right, title, and interest in the above-identified application, by Assignment recorded on August 5, 2003, at Reel 013319, Frame 0841.

The disclaimant hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§154 - 156, §173, and any other relevant

statutory provision of prior U.S. Patent No. 6,309,633, filed June 19, 1999, as presently

shortened by any terminal disclaimer, which patent was assigned to the above-identified disclaimant by an Assignment recorded on August 2, 1999, at Reel 010139, Frame 0394.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,309,633. This agreement runs with any patent granted on the above-identified application, and is binding upon the grantee, its successors, or assigns.

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Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application that is prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 - 156 and §173 of U.S. Patent No. 6,309,633, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer.

Respectfully submitted,



Mary L. Miller
Registration No. 39,303



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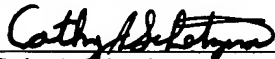
PATENT TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV 353610700 US

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Cathy A. Schetzina